

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2011, Legislative Day No. 16

Resolution No. 115-11

Mr. David Marks, Councilman

By the County Council, October 3, 2011

A RESOLUTION of the Baltimore County Council to approve the review of a proposed planned unit development in accordance with County law.

WHEREAS, County law requires that an application for review and approval of a proposed development project as a planned unit development be submitted to the County Council member in whose district the development is proposed to be located; and

WHEREAS, Shelter Development, LLC ("Shelter") has submitted an application for review and approval of a general development Planned Unit Development ("PUD") to be known as Brightview Perry Hall for a + or – 14.89 acre site (the "Site") in the Fifth (5th) Councilmanic District; and

WHEREAS, the Site is zoned DR 3.5H and the PUD proposes the development of a high-quality senior housing rental community for seniors containing 225 rental units; and

WHEREAS, the Site is located inside the Urban Rural Demarcation Line (URDL); and,

WHEREAS, the proposed PUD will be accessed off of Belair Road, north of Chapel Road; and

WHEREAS, the County Council finds that the Applicant held a post-submission community meeting on September 26, 2011, pursuant to Section 32-4-242(c) of the Baltimore County Code; and

WHEREAS, the Applicant has compiled comprehensive minutes of the meeting, together with a record of the names, addresses and electronic mail address of the attendees, and forwarded the same to the Council Member in whose district the property is located and to the Department of Permits, Approvals and Inspections; and

WHEREAS, the Applicant has submitted copies of the application to the Department of Permits, Approvals and Inspections, and the appropriate County reviewing agencies have provided a written preliminary evaluation of the proposed PUD to the Council Member; and

WHEREAS, the County Council finds that Shelter has complied with all of the requirements of Baltimore County Code 32-4-242(c) regarding post-submission community meetings; and

WHEREAS, the County Council finds that the proposed PUD will achieve a development of substantially higher quality than a conventional development will achieve; and

WHEREAS, Shelter has agreed to contribute \$15,000 for capital improvements at the Perry Hall Mansion, a nearly County-owned facility, which is a capital improvement benefit that the Council approves as an acceptable community benefit pursuant to Section 32-4-242(b)(6)(iii) of the Baltimore County Code; and

WHEREAS, Shelter has also agreed to contribute \$5,000 for capital improvements to public parkland in Perry Hall; and

WHEREAS, due to the public policy and community benefits that stem from the PUD, and pursuant to Section 32-4-242(d)(2) of the Baltimore County Code, the County Council approves a modification of the permitted density for the proposed PUD to permit a total of 225 dwelling units on the property; now, therefore

BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the proposed Site for the general development PUD filed by Shelter known as Brightview Perry Hall is eligible for County review in accordance with Section 32-4-241, et seq. of the County Code; and be it further

RESOLVED, that the County Council finds that the proposed PUD will provide a community benefit per Baltimore County Code Section 32-4-242(b)(6)(iii) as the Applicant will provide a capital improvement benefit to a nearby County-owned facility; and be it further

RESOLVED, that the County Council approves a modification of the permitted density for the proposed PUD to permit a total of 225 dwelling units on the property; and be it further

RESOLVED, that a copy of this Resolution be sent to the Baltimore County Department of Permits, Approvals and Inspections and the Department of Planning for processing of the PUD plan in accordance with law.